

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DANIEL PAGE,
 Plaintiff,
 v.
 ROMEO ARANAS,
 Defendant.

2:16-cv-00015-JAD-PAL

ORDER**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an application to proceed *in forma pauperis*, a motion to have the court and judge accept Plaintiff's financial certificate, a motion for appointment of counsel, and a motion for preliminary injunction. (ECF No. 1, 1-1, 2, 3, 4).

Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted the first three pages of the application to proceed *in forma pauperis*. (See ECF No. 1). As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in*
3 *forma pauperis* (ECF No. 1) and motion to have court accept Plaintiff's financial certificate
4 (ECF No. 2) are DENIED without prejudice to file a new application.

5 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
6 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
7 entitled information and instructions for filing an *in forma pauperis* application.

8 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
9 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
10 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
11 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
12 administrative fee).

13 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
14 dismissal of this action may result.

15 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF
16 No. 1-1), but shall not file it at this time.

17 IT IS FURTHER ORDERED that a decision on the remaining motions (ECF No. 3, 4)
18 are deferred until the matter of the filing fee is resolved.

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20 DATED: This 8th day of January, 2016.

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23 United States Magistrate Judge